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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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DALE L. BARTHOLOMEW

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VERIZON

PATENT MANAGEMENT GROUP

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EXAMINER

NG, CHRISTINE Y

ART UNIT

PAPER NUMBER

2416

NOTIFICATION DATE

DELIVERY MODE

10/16/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 09/144,635	Applicant(s) BARTHOLOMEW ET AL.	
	Examiner CHRISTINE NG	Art Unit 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 and 40-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 and 40-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 40 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 40 depends on cancelled claim 39.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7, 10-13, 15, 17-27, 33-36, 41-47, 54 and 59-62 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6035020 A to Weinstein et al.

Referring to claim 1, Weinstein et al disclose in Figure 1 a method comprising:

Receiving, from a customer premises terminal (122) via a local link (subscriber line 110) to a line unit (line card 115) and telephone network switch (voice switch 155) in a switched telephone network, a request for a communication path to a destination.

Refer to Column 4, lines 12-35 and Column 5, lines 36-43.

Controlling a scanning device (switch 120) to selectively connect a signal detector (DTMF receiver 123 and prefix recognizer 125) to the local link.

Using the signal detector to monitor a signal that includes said request.

Determining based on said signal that said request does not seek conversion (in voice-band filter 145) said line unit.

Connecting said terminal through a portion of said line unit around a converter (A/D converter in voice-band filter 145) in said line unit to a wide band data switch (router/data switch 180) connected to a data network (185). Switch 120 acts as a scanning device since it selectively connects either PC 122 or other devices 121 from the local link to the signal detector (DTMF receiver 123 and prefix recognizer 125) for monitoring. Refer to Column 4, lines 12-26. DTMF receiver 123 and prefix recognizer 125 control voice/data switch 130 to send voice requests from PC 122 or other devices 121 to voice-band filter 145 for transmission through voice-band filter 145 to a telephone system, and to send data requests to concentrator 160 for transmission to data network 185. Refer to Column 4, line 55 to Column 6, line 35.

Referring to claim 2, Weinstein et al disclose in Figure 1 wherein said portion of said line unit comprises a concentrator network (160) of said line unit. Line cards 115 are connected to concentrator 160. Refer to Column 5, line 62 to Column 6, line 10.

Referring to claim 3, Weinstein et al disclose in Figure 1 wherein said converter comprises a CODEC (A/D converter in voice-band filter 145). Refer to Column 5, lines 25-47.

Referring to claim 4, Weinstein et al disclose in Figure 1 wherein said concentrator network includes a switching system (lines 165 and 175). Refer to Column 5, line 62 to Column 6, line 22.

Referring to claim 5, Weinstein et al disclose in Figure 1 wherein said switching system provides hard wired switching (lines 165 and 175). Refer to Column 5, line 62 to Column 6, line 22.

Referring to claim 6, Weinstein et al disclose in Figure 1 wherein the switching in said switching system provides hard wired switching (subscriber lines 110 and lines 165 and 175) between said terminal and said wide band data switch. Refer to Column 4, lines 12-26; and Column 5, line 62 to Column 6, line 22.

Referring to claim 7, Weinstein et al disclose in Figure 1 wherein said switching system is connected to a digital signal processor (DSP) (modems 167). Modems 167 convert between modulated line signals and baseband digital signals. Refer to Column 6, line 48 to Column 7, line 14.

Referring to claim 10, Weinstein et al disclose in Figure 1 wherein said digital signal processor is indirectly associated with said line unit. Modems 167 are connected to line cards 115 through links 175, concentrator 160 and lines 165.

Referring to claim 11, Weinstein et al disclose in Figure 1 wherein said digital signal processor is directly associated with said wide band data switch. Modems 167 are connected to router/data switch 180. Refer to Column 6, line 48 to Column 7, line 14.

Referring to claim 12, Weinstein et al disclose in Figure 1 wherein said digital signal processor is integrated with said line unit. Modems 167 are connected to line cards 115 through links 175, concentrator 160 and lines 165.

Referring to claim 13, Weinstein et al disclose in Figure 1 wherein said requesting step is made by emitting from said terminal a signal of a predetermined characteristic (dialed telephone numbers could be directed to the telephone system or data network 185; numbers to data network 185 are preceded with a prefix) and wherein said detecting is accomplished by a detecting device (DTMF receiver 123 and prefix recognizer 125) associated with said line unit. DTMF receiver 123 and prefix recognizer 125 control voice/data switch 130 to send voice requests to voice-band filter 145 for transmission to a telephone system, and to send data requests to concentrator 160 for transmission to data network 185. Refer to Column 4, line 55 to Column 6, line 35.

Referring to claim 15, Weinstein et al disclose in Figure 1 wherein said connecting step through a portion of said line unit around a converter therein to a wide band switch is a virtual hard wired connection (lines 165 and 175). Refer to Column 5, line 62 to Column 6, line 22.

Referring to claim 17, Weinstein et al disclose in Figure 1 wherein said line unit comprises a line card (line cards 115).

Referring to claim 18, refer to the rejection of claim 1. Furthermore, Weinstein et al disclose that the request seeks bandwidth in excess of that available through said line

unit. Data services require more bandwidth than telephone services. Refer to Column 8, lines 10-28; and Column 9, lines 42-48.

Referring to claim 19, refer to the rejection of claim 2.

Referring to claim 20, refer to the rejection of claim 13.

Referring to claim 21, refer to the rejection of claim 4.

Referring to claim 22, refer to the rejection of claim 5.

Referring to claim 23, refer to the rejection of claim 6.

Referring to claim 24, refer to the rejection of claim 7.

Referring to claim 25, refer to the rejection of claim 10.

Referring to claim 26, refer to the rejection of claim 11.

Referring to claim 27, Weinstein et al disclose in Figure 1 a method comprising:

Receiving a signal via a local link from customer premises (122) in a telecommunications network connected by said local link (subscriber lines 110) to a program controlled switch (switch 120) in said telecommunications network, wherein the program controlled switch is configured to scan each of a set of local links.

Scanning said local link to provide monitoring (via DTMF receiver 123 and prefix recognizer 125) of said signal. Switch 120 acts as a scanning device since it selectively connects either PC 122 or other devices 121 from the local link to the signal detector (DTMF receiver 123 and prefix recognizer 125) for monitoring. Refer to Column 4, lines 12-26.

Making a determination, via a monitor (DTMF receiver 123 and prefix recognizer 125), regarding a pre-established characteristic of said signal (dialed telephone

numbers could be directed to the telephone system or data network 185; numbers to data network 185 are preceded with a prefix; Column 4, line 55 to Column 6, line 10). DTMF receiver 123 and prefix recognizer 125 control voice/data switch 130 to send voice requests to voice-band filter 145 for transmission to a telephone system, and to send data requests to concentrator 160 for transmission to data network 185. Refer to Column 4, line 55 to Column 6, line 35.

Responsive to said determination (if signal is directed to data network 185), solid state switching said signal to a digital signal processor (modems 167) and a wide band network edge device (router/data switch 180). Modems 167 convert between modulated line signals and baseband digital signals, and send the signals to router/data switch 180. Refer to Column 6, line 48 to Column 7, line 14.

Referring to claim 33, Weinstein et al disclose in Figure 1 wherein said digital signal processing is performed in a processor (modem back 170) separate from said wide band edge device. Refer to Column 6, lines 11-13.

Referring to claim 34, Weinstein et al disclose in Figure 1 wherein the processor performing said digital signal processing is associated with a line unit (line cards 115) through a portion of which said signal is conducted. Signals are transmitted from lines cards 115 to modems 167. Refer to Column 5, line 62 to Column 6, line 10.

Referring to claim 35, Weinstein et al disclose in Figure 1 wherein said processor performing said digital signal processing comprises a part of said line unit. Modems 167 are connected to line cards 115 through links 175, concentrator 160 and lines 165.

Referring to claim 36, Weinstein et al disclose in Figure 1 wherein said digital signal processing is performed in an adaptive digital signal processor (modem 167) with a programmed controller providing coding and decoding functions (conversion between modulated line signals and baseband digital signals) adapted to a particular communication service requested by said signal and the physical level of signal protocol used over said local link from said customer premises. Each customer premises equipment uses different forms of line signals. Refer to Column 6, lines 48-54.

Referring to claim 41, Weinstein et al disclose in Figure 1 a line unit (line card 115) for a switched telecommunications network comprising trunked together program controlled switches (connection between line card 115 and subscriber line 110) connected to subscriber premises (122) by local links (subscriber lines 110) connected to the line unit. Refer to Column 4, lines 12-43. The line unit comprising:

A line concentrator network (set of line cards 115) for connection to a plurality of local links, said concentrator network including switches (voice/data switch 130), and a high bandwidth port (output 140 of voice/data switch 135).

Customer interface hardware (switch 120).

A converter (voice-band filter 145) for converting signals on the plurality of local links to digital signals at a predetermined narrowband bit-rate (300 Hz to 3300 Hz).

A monitor (DTMF receiver 123 and prefix recognizer 125), for detecting a pre-designated signal (dialed telephone numbers could be directed to the telephone system or data network 185; numbers to data network 185 are preceded with a prefix; Column 4, line 55 to Column 6, line 10) on one of the plurality of local links and providing an

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output signal to said concentrator network to cause said concentrator network to provide a connection to said port for signals on the one link. DTMF receiver 123 and prefix recognizer 125 control voice/data switch 130 to send voice requests to voice-band filter 145 for transmission through output 135 to a telephone system, and to send data requests to concentrator 160 for transmission through output 140 to data network 185.

Refer to Column 4, line 12 to Column 6, line 35.

Referring to claim 42, Weinstein et al disclose in Figure 1 wherein said concentrator network comprise solid state switches (voice/data switches 135).

Referring to claim 43, Weinstein et al disclose in Figure 1 wherein the concentrator switches create a hard wired connection to said port for the one link. Voice/data switch 135 can connect to output 140 for connection to data network 185.

Refer to Column 5, line 62 to Column 6, line 10.

Referring to claim 44, Weinstein et al disclose in Figure 1 wherein said line unit delivers said signals on the one link to said port in unconverted format. Signals sent to output 140 have not been converted into digital signals by modem 167. Refer to Column 5, line 62 to Column 6, line 54.

Referring to claim 45, refer to the rejection of claim 36.

Referring to claim 46, Weinstein et al disclose in Figure 1 a line unit (line card 115) for selective connection of a local link (subscriber line 110) to a digital switch (voice switch 155 and router/data switch 180) of a telephone network and a broadband data network (185). The line unit comprising:

A switch (voice/data switch 130) for connection to the local link, the switch comprising a first port (output 135) for a narrowband communication and a second port (output 140) for connection to the broadband data network.

The switch further configured for scanning each of a set of local links.

The switch further comprising a controller for controlling the scanning.

Voice/data switch 130 is connected to switch 120. Switch 120 acts as a scanning device since it selectively connects either PC 122 or other devices 121 from the local link to the signal detector (DTMF receiver 123 and prefix recognizer 125) for monitoring. Refer to Column 4, lines 12-26.

A monitor means (DTMF receiver 123 and prefix recognizer 125) for detecting a request for a broadband service, the monitor being in selective communication with the controller to monitor at least one of the set of local links and in response controlling the switch to connect the local link to the second port. DTMF receiver 123 and prefix recognizer 125 control voice/data switch 130 to send voice requests to voice-band filter 145 for transmission through output 135 to a telephone system, and to send data requests to concentrator 160 for transmission through output 140 to data network 185. Refer to Column 4, line 55 to Column 6, line 35.

Referring to claim 47, Weinstein et al disclose in Figure 1 that the line unit further comprises a channel circuit (connection of voice/data switch 130 to output 135), coupled to the first port, for channeling signals for communication via the local link and a predetermined digital rate channel (300 Hz to 3300 Hz) corresponding to the narrowband communication. Refer to Column 5, lines 25-34.

Referring to claim 54, refer to the rejection of claim 1. Weinstein et al also disclose in Figure 1 wherein said connecting step through a portion of said line unit around a converter therein to a wide band switch is a virtual hard wired connection (lines 165 and 175). Refer to Column 5, line 62 to Column 6, line 22.

Referring to claim 59, refer to the rejection of claim 27, 33 and 34.

Referring to claim 60, refer to the rejection of claim 35.

Referring to claim 61, refer to the rejection of claim 36.

Referring to claim 62, Weinstein et al disclose in Figure 1 wherein the monitor is configured to selectively monitor subsequent local links in a set of local links. DTMF receiver 123 and prefix recognizer 125 monitors a plurality of signals from PC 122 and others devices 121.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6035020 A to Weinstein et al in view of U.S. Patent No. 5,085,913 to Wong.

Wegleitner et al do not disclose wherein said switching system comprises gated-diode cross point (GDX) switching.

Wong discloses that gated diode cross-point switches are used in high voltage electronic devices that may develop voltages in excess of 600 volts. Refer to Column 2,

lines 34-44. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said switching system comprises gated- diode cross point (GDX) switching. One would have been motivated to do so in order to utilize high voltage switching.

7. Claims 9, 28-30, 40 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,480,487 to Weinstein et al in view of U.S. Patent No. 6035020 A to Opalka et al.

Referring to claim 9, Weinstein et al do not disclose wherein said switching system comprises cross point switching.

Opalka et al disclose in Figure 7 that cross point switches have the advantage of a high rate of data transfer from one point to another without the limitation of main memory contention on memory-based switches. Refer to Column 9, lines 7-25. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said switching system comprises cross point switching. One would have been motivated to do so since cross point switches provide for a high rate of data transfer.

Referring to claim 28, Weinstein et al do not disclose wherein said solid state switching comprises cross-point switching. Refer to the rejection of claim 9.

Referring to claim 29, Weinstein et al do not disclose wherein said cross point switching is performed in a line unit in said telecommunications network. Refer to the rejection of claim 9.

Referring to claim 30, Weinstein et al disclose in Figure 1 wherein switching (by voice/data switch 130) directs said signal away from a two-way digital/analog converter (A/D converter in voice-band filter 145) in said line unit having predetermined narrowband digital bit-rate capabilities (300 Hz to 3300 Hz). Refer to Column 5, lines 25-34.

However, Weinstein et al do not disclose cross-point switching. Refer to the rejection of claim 9.

Referring to claim 40, Weinstein et al disclose in Figure 1 wherein the signals switched through said cross-point switches to said ports to said wide band data switch are hard-wired connected to said wide band data switch. Voice/data switches 130 are connected to router/data switch 180 through lines 165, concentrator 160 and lines 175.

Referring to claim 56, refer to the rejection of claims 27, 28, 29 and 30.

8. Claims 14 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,035,020 to Weinstein et al in view of U.S. Patent No. 6,083,280 to Eitel.

Referring to claim 14, Weinstein et al do not disclose signaling a CPU controlling said telephone network switch to effect an entry in a journal of said telephone network switch, and using said entry for billing for the communications path set up in response to said requesting step.

Eitel discloses that when a call request is first received by a local telephone switch by the calling party, a billing file is created based upon factors such as the service rate of the calling party, the identity of the called party, time of day, etc. Once

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the billing file is created, a controller of the local switch can determine how to establish the connection to the called party. Refer to Column 1, lines 43-60. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to include signaling a CPU controlling said telephone network switch to effect an entry in a journal of said telephone network switch, and using said entry for billing for the communications path set up in response to said requesting step. One would be motivated to do so in order to provide a method of billing the customer for a particular communications session.

Referring to claim 53, refer the rejection of claim 1 and claim 14.

9. Claims 16 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6035020 A to Weinstein et al in view of U.S. Patent No. 6,480,487 to Wegleitner et al.

Weinstein et al do not disclose wherein said connection to said wide band network is through an Asynchronous Transfer Mode (ATM) edge device.

Wegleitner et al disclose in Figure 1 a remote terminal that sends signals to either a CO12 for connection to a PSTN network or an ATM switch 24 for connection to a broadband ISP. A connection to a wide band network (broadband ISP) is thus made through an ATM edge device (ATM switch 24). Refer to Column 6, line 39 to Column 7, line 8, line 7; and Column 8, lines 14-37. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said connection to said wide band network is through an ATM edge device. One would have

been motivated to do so since ATM is a packet switching protocol that supports voice, video and data over a single network, and allows high bandwidth utilization.

10. Claims 48-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6035020 A to Weinstein et al in view of U.S. Patent No. 6,163,599 to McHale.

Referring to claim 48, refer to the rejection of claims 46 and 47.

However, Weinstein et al do not disclose that the monitor includes a scan point matrix switches.

McHale disclose in Figure 4 a cross-point matrix switch that switches a plurality of input data lines 54/150 to a plurality of output data lines 72/152. Refer to Column 10, line 50 to Column 11, line 3. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the monitor includes a scan point matrix switches. One would be motivated to do so in order to provide the monitor with a means of switching signals from certain input lines to certain output lines.

Referring to claims 49-52, Weinstein et al disclose in Figure 1 that the monitor (DTMF receiver 123 and prefix recognizer 125) includes a signal processor (to distinguish between voice and data calls) and a controller (to control voice/data switch 130), wherein the controller is located in the line unit. DTMF receiver 123 and prefix recognizer 125 control voice/data switch 130 to send voice requests to voice-band filter 145 for transmission through voice-band filter 145 to a telephone system, and to send data requests to concentrator 160 for transmission to data network 185. Refer to Column 4, line 55 to Column 6, line 35.

However, Weinstein et al do not disclose that the monitor includes a scan point matrix switches.

McHale disclose in Figure 4 a cross-point matrix switch that switches a plurality of input data lines 54/150 to a plurality of output data lines 72/152. Refer to Column 10, line 50 to Column 11, line 3. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the monitor includes a scan point matrix switches. One would be motivated to do so in order to provide the monitor with a means of switching signals from certain input lines to certain output lines.

11. Claims 31, 32, 57 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6035020 A to Weinstein et al in view of U.S. Patent No. 6,259,699 to Opalka et al, and in further view of U.S. Patent No. 6,480,487 to Wegleitner et al.

Referring to claims 31 and 57, Weinstein et al do not disclose wherein said connection to said wide band network is through an Asynchronous Transfer Mode (ATM) edge device.

Wegleitner et al disclose in Figure 1 a remote terminal that sends signals to either a CO12 for connection to a PSTN network or an ATM switch 24 for connection to a broadband ISP. A connection to a wide band network (broadband ISP) is thus made through an ATM edge device (ATM switch 24). Refer to Column 6, line 39 to Column 7, line 8, line 7; and Column 8, lines 14-37. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include wherein said connection to said wide band network is through an ATM edge device. One would have

been motivated to do so since ATM is a packet switching protocol that supports voice, video and data over a single network, and allows high bandwidth utilization.

Referring to claims 32 and 58, Weinstein et al disclose in Figure 1 wherein said digital signal processing occurs in said edge device. Modems 167 and connected to router/data switch 180. Refer to Column 6, line 48 to Column 7, line 14.

Response to Arguments

12. Applicant's arguments filed 03 July 2008 have been fully considered but they are not persuasive.

Referring to the arguments about the newly added limitations of independent claims 1, 18, 27, 46, 48, 53, 54, 56 and 59 (page 13, line 19 to page 15, line 25): Refer to the new rejections of claims 1, 18, 27, 46, 48, 53, 54, 56 and 59.

Referring to the argument of independent claim 41 (page 15, line 26 to page 16, line 8): Weinstein et al disclose in Figure 1 that the monitor (DTMF receiver 123 and prefix recognizer 125) detects a pre-designated signal (dialed telephone numbers could be directed to the telephone system or data network 185; numbers to data network 185 are preceded with a prefix; Column 4, line 55 to Column 6, line 10) on one of the plurality of local links and provides an output signal to the concentrator network (voice/data switch 130) to cause the concentrator network to provide a connection to said port for signals on the one link. DTMF receiver 123 and prefix recognizer 125 control voice/data switch 130 provides a connection to voice port 135 if the signal is a voice request and a connection to the high bandwidth port if the signal is a high bandwidth request. Refer to Column 4, line 12 to Column 6, line 35.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTINE NG whose telephone number is (571)272-3124. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571) 272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C. Ng
September 26, 2008

/FIRMIN BACKER/
Supervisory Patent Examiner, Art Unit 2616